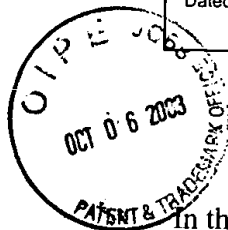


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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 10/2/03

Signature: 
(Kerry C. Keenan)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Vernon G. WONG and Frank KOCHINKE

Serial No.: 09/160,635

Filing Date: September 24, 1998

For: IMPROVED FORMULATION FOR
CONTROLLED RELEASE OF DRUGS
BY COMBINING HYDROPHILIC AND
HYDROPHOBIC AGENTS

Examiner: E. Webman

Group Art Unit: 1617

RECEIVED
OCT - 7 2003
OFFICE OF PETITIONS

NOTICE OF CHANGE OF STATUS and
PAYMENT OF DEFICIENCY OWED
UNDER 37 C.F.R. §1.28(c)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

10/07/2003 AWONDAF1 00000069 031952 09160635

01 FC:1801	400.00 DA	370.00 OP
02 FC:1201	172.00 DA	
03 FC:1251	110.00 DA	
04 FC:1253	950.00 DA	

Dear Sir:

It has recently come to our attention that a good faith error appears to have been made regarding the entity status of the above-referenced application and that some fee payments appear to have been made in error claiming small entity discount.

As required under 37 C.F.R. §1.28(c), to correct these oversights and in order for the error in payments to be excused we hereby submit an itemization of all erroneous small entity payments and the differential fees, together with the deficiency payment.

Itemization of all erroneous small entity payments and the differential fees:

TYPE OF FEE	DATE PAID	SMALL ENTITY FEE PAID	CURRENT FEE AMOUNT	LARGE ENTITY DIFFERENTIAL FEE
RCE Fee	November 15, 2001	✓ \$ 370.00	\$ 770.00	\$ 400.00
Extra Independent Claims [2]	November 26, 2002	✓ \$ 84.00	\$ 172.00	\$ 88.00
Extension For Reply Within Third Month	November 26, 2003	✓ \$ 460.00	\$ 950.00	\$ 490.00
Extension For Reply Within First Month	August 14, 2003	✓ \$ 55.00	\$ 110.00	\$ 55.00
TOTALS		\$969.00 (Total Fees Previously Paid)	\$1958.00 (Current Fee Amount)	\$1,033.00 (Corrected Fee Amount to be charged to Deposit Account No. 03-1952)

Based upon the above, Applicant believes the differential between the small entity fees previously paid and the large entity fees now owing should total \$1,033.00. Applicant requests this *differential fee* be paid from our **Deposit Account No. 03-1952**.

Pursuant to 37 C.F.R. § 1.28(c), the calculated deficient "large entity fees" are based upon the amount of the fee in effect at the time the deficiency is paid in full. In the event the Patent Office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the

cost of such petitions and/or other fees due in connection with the filing of this document to
Deposit Account No. 03-1952 referencing docket no. 440882001201.

Respectfully submitted,

Dated: October 2, 2003

By: 

Lisa A. Amii

Registration No. 48,199

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5744
Facsimile: (650) 494-0792

Transaction List

Search by

☐ Accounting Date: Operator ID:
(MMDDYY)

Accounting Date



☒ Name/Number:

Starts:

Ends:

☐ Altrny Docket No:

☐ Deposit Account No.:

Accounting Date	Operator ID	Seq. No.	Txn Src	Fee Code	St	Amount	Name/Number	Dep Acc
08/20/2003	RMEBRAHT	65	SALE	2251	A	55.00	09160635	031952
12/03/2002	DTESSEM1	62	SALE	2201	A	84.00	09160635	031952
12/03/2002	DTESSEM1	61	SALE	2253	A	460.00	09160635	031952
01/04/2002	GTEFFERA	217	SALE	279	A	370.00	09160635	
01/04/2002	GTEFFERA	216	SALE	241	A	640.00	09160635	
09/26/2001	CNGUYEN	97	SALE	217	A	445.00	09160635	
12/20/2000	MMARMOL	340	SALE	217	A	445.00	09160635	
12/20/2000	MMARMOL	339	SALE	203	A	36.00	09160635	
02/22/2000	SDUONG	55	SALE	217	A	435.00	09160635	
09/30/1998	TWILLIAM	123	SALE	202	A	41.00	09160635	
09/30/1998	TWILLIAM	122	SALE	201	A	395.00	09160635	



Adjustment Detail

Authorization Detail



Adjustment date: 10/07/2003 AWONDAF1
08/20/2003 RMEBRAHT 00000047 031952 09160635
01 FC:2251 55.00 CR

Adjustment date: 10/07/2003 AWONDAF1
12/03/2002 DTESSEM1 00000050 031952 09160635
01 FC:2253 460.00 CR

Adjustment date: 10/07/2003 AWONDAF1
12/03/2002 DTESSEM1 00000050 031952 09160635
02 FC:2201 84.00 CR

Adjustment date: 10/07/2003 AWONDAF1
01/04/2002 GTEFFERA 00000155 09160635
02 FC:279 -370.00 DP

Office

